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ABBREVIATIONS

GAO	General Accounting Office
GSA	General Services Administration

MAY 13 1981

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BY THE U.S. GENERAL ACCOUNTING OFFICE

Report To The Administrator Of General Services

ORIGINAL

GSA Can Do More To Ensure Leased Federal Office Space Meets Its Firesafety Criteria

According to GSA's own criteria and records, there are hundreds of firesafety deficiencies in buildings leased for Federal offices. Some of these deficiencies have existed for as long as 10 years. In some cases, GSA awarded leases for space which had not met its firesafety criteria. In other cases, GSA had not adequately administered the leases because they failed to require lessors to correct deficiencies or to inspect buildings for firesafety violations.

Although GSA and some lessors have taken corrective actions, GSA still needs to

--identify firesafety deficiencies in all currently leased buildings that require inspection,

--improve the quality of firesafety inspections in leased buildings, and

--improve further the procedures to control and monitor the correction of firesafety deficiencies.

PLRD-81-8
MAY 1, 1981

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UNITED STATES GENERAL ACCOUNTING OFFICE
WASHINGTON, D.C. 20548

PROCUREMENT, LOGISTICS,
AND READINESS DIVISION

B-202555

The Honorable Ray Kline
Acting Administrator of
General Services

Dear Mr. Kline:

This report discusses the problems the General Services Administration has experienced in administering leases for firesafety requirements and in managing the firesafety program. We reviewed this area because of indications that such problems existed and that General Services was not assuring that firesafety deficiencies identified in leased space, on the basis of its criteria, were being corrected promptly.

This report contains recommendations to you on pages 14 and 25. As you know, section 236 of the Legislative Reorganization Act of 1970 requires the head of a Federal agency to submit a written statement on actions taken on our recommendations to the House Committee on Government Operations and the Senate Committee on Governmental Affairs not later than 60 days after the date of the report and to the House and Senate Committees on Appropriations with the agency's first request for appropriations made more than 60 days after the date of the report.

We are sending copies of this report to the Chairmen, House Committees on Appropriations, on Government Operations, and on Public Works and Transportation and Senate Committees on Appropriations, on Environment and Public Works, and on Governmental Affairs. We are also sending copies to the Director, Office of Management and Budget, and to the lessors of the buildings discussed in this report.

Sincerely yours,

D. J. Horan
Director

C

GENERAL ACCOUNTING OFFICE
REPORT TO THE ADMINISTRATOR
OF GENERAL SERVICES

GSA CAN DO MORE TO ENSURE LEASED FEDERAL OFFICE SPACE MEETS ITS FIRESAFETY CRITERIA

D I G E S T

The General Services Administration (GSA) can do more to make sure that space leased for Federal offices meets its firesafety standards. As of January 1980, GSA leased about 66 million square feet of space in privately owned and operated buildings nationwide to provide offices for hundreds of thousands of Federal employees.

According to GSA's own criteria, there were 566 firesafety deficiencies in the 42 buildings in the 3 GSA regions included in GAO's review--the National Capital Region, region 6 (Kansas City, Missouri), and region 7 (Fort Worth, Texas). Some of the deficiencies were identified as long as 10 years ago during GSA's prelease surveys and were never corrected.

TYPES OF DEFICIENCIES

GSA's firesafety inspections disclosed that some leased buildings lacked (1) adequate emergency lighting in exit stairways, (2) central station service connections for fire alarm systems, (3) panic hardware for exit doors, and (4) stairway safety treads.

The firesafety survey reports which listed these deficiencies did not specify whether lessors or GSA were legally required to correct them. These deficiencies, however, were based on GSA criteria applicable to both Government-owned and leased buildings, which generally are included in the leases' Schedules B, General Building Requirements and Specifications. Therefore, lessors generally would be required to correct them. However, in no case would a lessor be responsible for correcting deficiencies not covered by the terms of the lease, nor would the lessor be responsible for deficiencies identified based on changed GSA criteria during the period of the lease. (See pp. 5 and 6 and app. III.)

In commenting on 309 of the 566 firesafety deficiencies cited in GSA's firesafety survey reports, lessors indicated that (1) they would correct, or had corrected, 110 deficiencies, (2) they would study 32, and (3) they would negotiate 12 with GSA. The lessors said they would not correct 106 deficiencies

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because they did not agree with GSA that the deficiencies violated local codes or they considered the deficiencies to be the responsibility of GSA or tenant agencies. The lessors did not comment specifically on 49 of the firesafety deficiencies. Lessors of buildings having the remaining 257 identified deficiencies did not respond to GAO's requests for comments. (See p. 6.)

INSUFFICIENT FOLLOWUP TO MAKE SURE FIRESAFETY DEFICIENCIES ARE CORRECTED

The contracting officers in the three GSA regions were not making sure that lessors corrected firesafety deficiencies when they were contractually liable. This situation occurred because GSA (1) had not clearly defined the responsibilities and duties of contracting officers or firesafety inspectors to follow up to make sure that lessors corrected reported deficiencies and (2) lacked sufficient staff, according to regional space management representatives, to make followups. (See p. 7.)

Although lessors did correct some firesafety deficiencies, GAO could not identify these actions or determine if the corrective actions were adequate because regional records were inadequate. In addition, for the leases reviewed, GAO found that the regions did not enforce the "Failure to Perform" lease clause which allows them to correct the firesafety deficiencies and deduct the cost from the rental payments. (See pp. 7 to 9.)

LESSORS NOT LIABLE--SCHEDULES B NOT INCLUDED IN LEASES

GSA National Capital Region contracting officers did not include Schedules B in 9 of 15 leases GAO reviewed. Therefore, these nine lessors were not liable for meeting GSA's firesafety requirements. Without Schedules B, lessors need only meet local codes which generally differ in important aspects from GSA's firesafety criteria. Regional representatives could not explain why Schedules B were not included in leases. (See pp. 9 and 10.)

Space management representatives of the three GSA regions told GAO that it is very difficult to locate space that meets all GSA's firesafety criteria because the criteria are very stringent compared to some local building and fire codes. Some lessors, therefore, have been unwilling to renovate buildings to meet GSA's criteria. These

difficulties in leasing space may account for the absence of Schedules B in some leases. (See p. 11.)

DIFFICULTY IN ENFORCING GSA'S FIRESAFETY CRITERIA FOR LEASED SPACE

Some of GSA's firesafety criteria have not been included in lease contracts because major building renovations, such as installing automatic sprinkler systems in buildings with six floors or more, would be required for compliance. However, the Federal Property Management Regulations require that building standards for Government-owned space also apply to buildings with leased space. Therefore, even though lessors were exempt from furnishing some of the firesafety features required by GSA's criteria, firesafety inspectors still categorized conditions which did not meet the criteria as deficiencies when they were noted during inspections of leased buildings. Because the firesafety deficiencies were reported, GSA should have taken appropriate action to resolve the deficiencies.

As authorized by GSA, accident and fire prevention branches may propose alternative firesafety features, or other regional officials may waive firesafety requirements, correct the deficiencies using Government funds, or relocate the tenants. GAO determined that these alternatives generally had not been employed for the leases reviewed. (See pp. 11 and 12.)

QUALITY OF FIRESAFETY SURVEYS SHOULD BE UPGRADED

Before GAO's review, GSA was not aware that there were firesafety deficiencies in some of the buildings where it was leasing space because the firesafety surveys either were not always comprehensive or were not made. At the time of GAO's review, GSA required that all areas for which it was responsible, including leased space, be carefully compared against GSA's current standards for fire prevention and protection.

Contrary to GSA's policies and procedures, its inspectors have not considered all the required firesafety criteria in inspecting leased space, have not formally reported all identified firesafety deficiencies, have not determined if previous firesafety deficiencies had been corrected, or have not informed tenant agency representatives of firesafety deficiencies. GAO believes that the

Tear Sheet

regional inspectors did not understand some of GSA's policies and procedures and, therefore, failed to comply fully with them. (See pp. 17 to 22.)

GAO found that 7 of the 12 buildings reviewed in region 7 had not been surveyed by firesafety inspectors to determine their conditions. A GSA region 7 official claimed this was due to a lack of sufficient staff. Two inspectors and one administrative employee were on hand during GAO's review. The authorized staff was five. GAO did not determine the extent, if any, that leased space may not have been inspected because of the lack of staff. However, GAO found that management of the inspection workload was not effective because the accident and fire prevention branch did not have necessary data about the buildings requiring inspection, such as lease awards and renewals and the number of floors leased.

Beginning in January 1979, GSA started requiring leased space greater than 10,000 square feet, or any size space leased on the sixth floor or above, to be inspected for firesafety. GAO found that 17 of 21 buildings in which region 7 leased space were not inspected as required. In addition, 19 of 101 buildings requiring inspection were not scheduled for inspection because of the lack of information, such as which floors were leased. The accident and fire prevention branch failed to obtain this information from the acquisition branch.

Similarly, the National Capital Region and region 6 accident and fire prevention branches did not have information about the floors leased. (See pp. 22 to 24.)

RECOMMENDATIONS

The Administrator of General Services should require the Commissioner of the Public Buildings Service to:

--Initiate action to have lessors promptly correct all firesafety deficiencies in leased space for which they are responsible.

--Enforce the GSA requirement to include Schedules B in leases and justify any modifications.

--Establish procedures to control and monitor the prompt correction of firesafety deficiencies.

--Require that the current GSA policy for deviating from firesafety requirements be followed.

--Clarify and consolidate existing policies and procedures, possibly in a handbook, for evaluating firesafety in leased buildings.

--Instruct firesafety inspectors on their responsibilities and duties as described in the above guidance.

--Ensure that specific information on the amount and location of planned and existing leased space is properly sent from the regional acquisition branches to the accident and fire prevention branches.

While GAO's review was directed to GSA's management of its firesafety program for leased space, certain GAO findings could apply to GSA's Government-owned space. In this regard, ensuring that firesafety deficiencies are identified properly and corrected promptly should be a high priority for Government-owned space, as well as for leased space. Therefore, GAO also recommends that the Administrator have the Commissioner of the Public Buildings Service determine whether there are similar problems in GSA's firesafty program for Government-owned space, and if so, take appropriate corrective actions.

AGENCY COMMENTS

GSA said that in October 1980 it formulated new firesafety criteria for leased space which will be required in all current and future Solicitation for Offers.

The new criteria clarify which firesafety requirements are applicable to leased space as opposed to Government-owned space and should, if adequately applied, preclude inspectors from reporting deficiencies that do not violate GSA's firesafety criteria for leased space. However, GSA must still ensure that inspectors are properly trained as to their responsibilities and duties regarding the application of the criteria, that adequate inspections take place, and that identified deficiencies are corrected promptly.

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ABBREVIATIONS

GAO	General Accounting Office
GSA	General Services Administration

CHAPTER 1

INTRODUCTION

As of January 1980, the General Services Administration (GSA) was leasing about 66 million square feet of space in privately owned and operated buildings. Hundreds of thousands of Federal employees are GSA tenants in these buildings, and the public has access to the various Government agencies housed in the buildings.

For 20 years GSA has had a policy of maintaining an aggressive, effective, and intensive accident and fire prevention program to protect its employees and property, other Federal agency personnel and property in GSA-controlled buildings, and the public which uses facilities and services provided by GSA.

Firesafety requirements for federally leased buildings are stated in the Federal Property Management Regulations, the local jurisdictions' fire codes, GSA policy and procedure handbooks, and leases.

The Federal Property Management Regulations require GSA to provide workspace that equals the accident and fire prevention standards of the Occupational Safety and Health Act of 1970 (Public Law 91-596), allows emergency forces to accomplish their mission without undue danger, and limits danger of fire to the surrounding community.

For Federal employees, the requirements of the Occupational Safety and Health Act are implemented by Executive Order 12196, dated February 26, 1980, as amended by Executive Order 12223, dated June 30, 1980, which requires the head of each Federal department and agency to establish an occupational safety and health program. The order places the responsibility of evaluating these programs upon the Secretary of Labor. Federal agencies are also required to make periodic self-inspections to ensure that their working conditions conform to the requirements established in the Occupational Safety and Health Act.

The Federal Property Management Regulations also require that all Federal agencies be concurrently responsible with GSA for developing and maintaining a sound fire prevention program. One area of concurrent responsibility is periodic inspections of the space and building features as they relate to the safety of all persons and property. The regulations state that inspections by an occupant agency do not relieve GSA of its responsibilities and that inspections by GSA or others do not relieve occupant agencies of their responsibilities for maintaining full knowledge of firesafety conditions. Agencies are required to correct hazardous conditions within their responsibilities and are responsible for reporting those conditions which are not their responsibilities to GSA.

Another area of concurrent responsibility is the abatement of unsafe conditions. Executive Order 12196, dated February 26, 1980,

recognizes that firesafety deficiencies should be corrected promptly, and the order states that GSA shall:

> "Assure prompt attention to reports from agencies of unsafe or unhealthy conditions of facilities subject to the authority of the General Services Administration; where abatement cannot be promptly effected, submit to the agency head a timetable for action to correct the conditions; and give priority in the allocation of resources available to the Administrator for prompt abatement of the conditions."

Over the years, GSA has established firesafety criteria for Government-owned buildings and GSA-leased space. These criteria are contained in GSA Handbook PBS P 5920.9, Building Firesafety Criteria, and are based on national association standards, such as the National Fire Protection Association Standards, American National Standards Institute Safety Code, and American Society of Testing and Materials.

The firesafety criteria for GSA-leased space are generally included in Schedule B of the lease. The requirements and specifications are the minimum architectural, mechanical, electrical, and safety and fire prevention features that lessors must meet. GSA Handbook PBS P 5900.2, Accident and Fire Prevention - General, requires building surveys be made to evaluate the firesafety features of any GSA-leased space greater than 10,000 square feet or any GSA-leased space located on the sixth floor or above, regardless of the size. It also requires that surveys be made before leased space is accepted and at least once every 4 years thereafter and before leases are renewed, unless the most recent survey has been conducted within 1 year preceding the lease renewal date.

Executive Order 12196 recognizes that differences may exist between the standards established by the Occupational Safety and Health Administration in 29 CFR, Parts 1910 and 1960, and in GSA in its building firesafety criteria, PBS P.5920.9 (June 6, 1979). This order requires that:

> "Within six months of the effective date of this order the Secretary of Labor and the Administrator of the General Services Administration shall initiate a study of conflicts that may exist in their standards and other requirements affecting Federal employee safety and health, and shall establish a procedure for resolving conflicting standards for space leased by the General Services Administration."

The effective date of the Executive order was October 1, 1980. On December 17, 1980, GSA informed us that the study was in progress.

PRIOR GAO REPORTS

In two earlier reports 1/ we discussed the inadequacy of GSA's National Capital Region's lease administration regarding that region's efforts to require owners of certain buildings to correct firesafety and other deficiencies. The main issue was that firesafety deficiencies had not been corrected for long periods of time. We recommended that the Administrator of General Services require contracting officers to enforce the Government's contractual rights more effectively.

OBJECTIVES, SCOPE, AND METHODOLOGY

We made our review to determine if GSA (1) was adequately administering building leases to assure that lessors were complying with lease firesafety requirements, (2) was including all GSA firesafety standards in leases, and (3) was adequately and timely inspecting leased space to determine its adequacy for Federal employee occupancy as far as firesafety matters were concerned. We did not examine what the tenant agencies were doing to discharge their responsibilities for firesafety.

We worked primarily at the accident and fire prevention and space management offices of the Public Buildings Service in the Central Office, National Capital Region, region 6 (Kansas City), and region 7 (Fort Worth). As of January 28, 1980, these three regions were leasing about 43 percent of all GSA-leased space operated and maintained by the owners, or about 29 million square feet of 66 million square feet.

We reviewed leases for 42 buildings in the 3 regions. We reviewed these leases primarily because they involved large amounts of space, the leased space was located on the sixth floor or above, the buildings had been surveyed during the past several years for firesafety, and the buildings were located in different areas within the GSA regions. We did not intend for our sample of leases to be a statistically valid random sample; however, we believe the practices in these three regions relative to firesafety in leased buildings do not differ significantly from the practices in the other eight regions because GSA internal studies have found similar problems in the other regions. In addition, the GSA evaluation reports of accident and fire prevention branches in these three regions generally supported our findings.

On October 10, 1980, we sent letters to the lessors of the 42 buildings and asked them to comment on the firesafety

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1/"Firesafety Violations in Two Buildings Leased by The General Services Administration" (LCD-79-312, May 22, 1979) and "GSA Found Lax in Enforcing Leases On Westwood Complex" (LCD-80-42, April 7, 1980).

deficiencies cited in the GSA firesafety survey reports. On November 10, 1980, we sent followup letters to the lessors who had not responded to our first request. Only 20 lessors responded to our requests.

We reviewed the applicable Federal Property Management Regulations; Executive orders; and GSA orders, manuals, handbooks, memorandums, lease files, and firesafety survey reports. We also interviewed GSA officials in the accident and fire prevention and space management offices. We observed GSA firesafety inspectors making surveys of 12 buildings in region 7, 6 buildings in region 6, and 3 buildings in the National Capital Region.

CHAPTER 2

IMPROVEMENTS NEEDED IN LEASE ADMINISTRATION PRACTICES

One of the goals of GSA's fire prevention program is to prevent and eliminate conditions that are conducive to personal and property damage. This goal was not being met in many buildings in which GSA leased space in the three regions we reviewed.

Firesafety deficiencies that violate GSA's firesafety criteria have existed in some leased buildings up to 10 years. For example, some firesafety deficiencies were identified as early as 1970 during prelease surveys made by GSA and as late as from February to May 1980 during firesafety surveys of 21 buildings made by GSA regional inspectors at our request. According to GSA records and personnel, the deficiencies in the 42 buildings in the 3 GSA regions we reviewed were as shown below.

Number of deficiencies by function

	GSA region			
Function	National Capital Region	Region 6	Region 7	Total
Number of buildings	15	15	12	42
Lighting, stairwells, doors	36	32	92	160
Sprinklers	16	7	12	35
Elevators	13	13	11	37
Architecture and structure	11	13	61	85
Alarms	7	8	6	21
Corridors	8	-	6	14
Other	30	41	143	214
Total	121	114	331	566

Appendix III lists the 566 firesafety deficiencies grouped by building and function.

The firesafety survey reports which identified these deficiencies did not specify whether lessors were legally required to correct all of them. These deficiencies, however, were based on the GSA criteria for Government owned and leased buildings, and

these criteria generally should have been included in the leases' Schedules B, General Building Requirements and Specifications. Therefore, these types of firesafety deficiencies generally should be corrected by lessors.

Although lessors have taken actions to correct some firesafety deficiencies, we could not identify these actions or determine if lessors were adequately taking corrective action since regional records were inadequate. In addition, the leases reviewed showed that the GSA regions did not use the Failure to Perform provision in the leases to correct the firesafety deficiencies and to deduct the cost from the rental payments.

We asked the lessors of the buildings to comment on the 566 deficiencies. The responses from 20 lessors for 22 leased buildings showed that of 309 firesafety deficiencies they (1) had corrected or would correct 110, (2) would study 32, (3) would negotiate 12 with GSA, and (4) would not correct 106 because either they disagreed with GSA--felt the deficiencies did not violate local codes or leases, or were the responsibility of GSA or tenant agencies. These lessors did not comment specifically on 49 of the firesafety deficiencies. Lessors of buildings having the remaining 257 deficiencies, based on GSA criteria, did not respond to our requests for comments.

The 106 deficiencies referred to above included the lack of automatic sprinkler systems, fireman's elevator capture, central connection of alarms, emergency lighting, and stairwell safety treads. In commenting on a draft of our report (see app. I.), GSA agrees to some extent with the lessors' positions and states our examples that cite leased space on the sixth floor or above requires automatic sprinkler protection are erroneous because this is a requirement only for Federal buildings.

The examples we cited were from GSA firesafety survey reports. We believe, and GSA acknowledges, that the regional firesafety inspectors who prepared these reports were not clear on which firesafety criteria to apply to leased space for features such as automatic sprinkler protection. This feature was required in PBS P 5920.9, Building Firesafety Criteria, which at the time of our review applied to both Federal and leased buildings.

We agree that lessors are responsible only for providing the firesafety features which the leases require. However, as discussed below and in chapter 3, GSA's lease award and administration practices were not adequate to assure that lessors corrected firesafety deficiencies when they were liable, all the firesafety requirements were included in the leases, and regional firesafety inspectors uniformly applied Federal building firesafety criteria to leased buildings. Therefore, the three GSA regions did not have adequate information to determine which firesafety deficiencies the lessors were required to correct.

GSA regional contracting officers were not assuring that lessors corrected firesafety deficiencies when they were contractually liable. This situation occurred because GSA (1) had not clearly defined the responsibilities and duties for either contracting officers or firesafety inspectors to follow up with lessors to ensure that firesafety deficiencies had been corrected and (2) lacked sufficient staff, according to regional space management representatives, to follow up with lessors.

In addition, National Capital Region contracting officers had not included Schedules B in many leases, requiring lessors to meet GSA's firesafety standards.

INSUFFICIENT FOLLOWUP TO MAKE SURE FIRESAFETY DEFICIENCIES ARE CORRECTED

The National Capital Region and regions 6 and 7 leased space in buildings before the lessors had corrected firesafety deficiencies.

When the space was occupied, the regional staffs did not monitor the reported firesafety deficiencies to ensure that they were corrected. Representatives of GSA regional space management divisions, who are responsible for administering the lease contracts, said insufficient staff and lack of formal procedures were the reasons for inadequate followup to assure that firesafety deficiencies were corrected. In addition, chiefs of regional accident and fire prevention branches said they were responsible only for reporting firesafety deficiencies to space management personnel, not for following up on corrective actions for deficiencies.

Firesafety deficiencies identified before occupancy remain uncorrected

The purpose of firesafety surveys is to identify and eventually control any condition which could result in a fire. Prelease surveys of buildings in which GSA planned to lease space were made of 13 of the 42 leases reviewed. (Failure to perform prelease surveys is discussed in chapter 3.) Although these prelease surveys identified firesafety deficiencies, the regions did not undertake sufficient followup actions with the lessors. As a result, some firesafety deficiencies remained uncorrected for many years.

The following examples show that, according to GSA criteria and reports, firesafety deficiencies existed in the buildings at the time they were leased and that some deficiencies still were not corrected at the time of our review.

GSA region	Building name and location	Lease period	Number of deficiencies identified	Uncorrected deficiencies
6	Traders National Bank building, Kansas City, Mo.	March 1974-80	5	a/5
7	Neil P. Anderson building, Fort Worth, Tex.	February 1978-83	9	b/4
National Capital	Todd building, Washington, D.C.	July 1970-80	8	c/3

a/The lessor's building manager stated on November 3, 1980, that action would be taken to correct one of the deficiencies noted above, but a fireman's automatic elevator capture would not be provided. The building manager did not discuss the remaining three deficiencies.

b/The lessor did not reply to our request for comments on these firesafety deficiencies.

c/The lessor commented on October 31, 1980, that the firesafety deficiencies disclosed in GSA's March 1980 lease renewal firesafety survey were discussed with the GSA inspector. Agreement was reached on which firesafety deficiencies the lessor would correct and how they would be corrected. The lessor said, however, that establishing responsibility for correcting these firesafety deficiencies would be negotiated when GSA extends the lease which expired in July 1980.

Inadequate lessor performance

We found that the lease for the Universal building in Washington, D.C., did not contain a Schedule B, but it included a rider which required the lessor to furnish the Government certain firesafety features. The building was leased from January 17, 1975, to January 16, 1980. 1/ The lease required the lessor to

1/The lease renewal was still in process at December 15, 1980.

specifically install battery operated emergency lights in the stairwells and connect existing local fire alarm system to central alarm system.

In a firesafety survey report made 4-1/2 years later (August 1979), GSA stated the following about these two deficiencies.

--The emergency lighting units in the exit stairways are in need of repair and/or maintenance. Several lights do not operate due to low electrolyte levels and in some cases the batteries were dead due to no electrolyte at all. In addition, several exit lights were noted as being in need of relamping. The lessor should establish an effective preventive maintenance program that will assure proper status of the exit lighting and lighting units.

--The building does not contain a central station service connection for the fire alarm system.

The lessor did not reply to our requests for comments on this firesafety survey report.

To help buildings managers deal with lessors who did not meet all the lease requirements, the National Capital Region's acquisition branch recently established a staff position. One of the duties includes advising buildings managers about the legal requirements of paragraph 15, Failure In Performance of the General Provisions, Certification and Instructions. Paragraph 15 authorizes the Government to obtain any of the services, maintenance, or repairs not provided by lessors and to deduct the cost from rental payments.

LESSORS NOT LIABLE--SCHEDULES B NOT INCLUDED IN LEASES

The National Capital Region leased buildings that contained firesafety deficiencies without requiring lessors to meet GSA standards. Leases for 9 of the 15 buildings in this region did not contain Schedules B, including leases for some buildings that had been renewed at least once. Therefore, lessors were not liable for meeting the GSA firesafety requirements.

Leasing space without regard to the minimum standards required by Schedule B results in the Government not obtaining all the firesafety features usually required by leases and subjecting Federal employees to occupying leased space in buildings that does not meet GSA firesafety criteria. In addition, without Schedules B, lessors need to comply only with the local codes and ordinances which generally differ in important aspects from GSA's firesafety criteria. Therefore, the level of firesafety protection in leased buildings varies with the locations of the buildings.

Leases did not always contain Schedules B because the responsible contracting officers did not adequately implement the GSA requirement on Schedules B. GSA requires that Schedules B be included in all leases and be modified or supplemented by the contracting officer if available space does not meet all the minimum requirements. Schedules B are necessary to establish responsibility for correcting firesafety deficiencies because the Schedule requires that buildings or space shall be free of accident and fire hazards, and when detected, such hazards must be promptly corrected at no cost to the Government.

The region could not explain why Schedules B were not included, but did agree that the Schedules were required in leases.

The following are a few examples of leases which did not contain Schedules B and of buildings with firesafety deficiencies that were identified in early years of the leases.

Building name and location	Year of first lease	Year firesafety deficiencies reported
Robin, Md.	1966	a/1969
Star, D.C.	1965	a/1968
Todd, D.C.	1970	b/1970

a/The lessor did not reply to our requests for comments on the firesafety survey reports.

b/The lessor advised us that the correction of firesafety deficiencies identified by GSA in March 1980 would be the subject of negotiation if GSA wished to extend the lease which expired in July 1980.

The leases for these buildings, except the Todd building, have been renewed at least once without containing Schedules B. These buildings are currently occupied by Federal tenants.

The firesafety deficiencies, according to GSA firesafety criteria, in the Robin and Todd buildings, were so numerous and serious that the GSA inspector recommended finding alternate space for the tenants as indicated below.

--The October 1979 firesafety survey report for the Robin building stated that Government occupancy should be terminated at the earliest possible date.

--The March 1980 firesafety survey report for the Todd building stated that due to the nature and extent of the firesafety deficiencies noted, serious consideration should be given to finding alternate space for the Government agencies.

The lessor of the Robin building did not reply to our requests for comments on this firesafety survey report. The lessor of the Todd building commented on October 31, 1980, that correction of the firesafety deficiencies would be negotiated if GSA wished to extend the lease that expired in July 1980. The lessor also stated that the firesafety deficiencies were discussed with the GSA firesafety inspector and that an agreement was reached on which deficiencies would be corrected and how they would be corrected.

Difficulty encountered in acquiring leased space

GSA regional officials said that they had a difficult time locating space which met GSA's strict firesafety criteria. Regions 6 and 7 included Schedules B in their leases; however, they modified these schedules to suit the local circumstances as required by GSA.

The chief of the acquisition branch, region 7, said that the national firesafety codes used by GSA are unrealistically stringent. Therefore, if all leased space were required to comply with GSA firesafety criteria, the Government probably would not be able to find sufficient space to lease.

According to region 6 representatives of the space management division, finding space to lease in buildings which meets all the GSA firesafety criteria is difficult. Generally, the region leases the building with fewer firesafety deficiencies. In addition, the region sometimes waives firesafety requirements when market surveys show that available space for lease in a particular area does not meet GSA firesafety criteria.

The director of space management, National Capital Region, said that obtaining office space in the District of Columbia is difficult because the vacancy rate is about 1 percent and the region has a requirement for about 1 million square feet more of office space for Federal agencies. Also, private owners of office space either do not respond to the region's Solicitation for Offers or respond with offers that do not meet all the solicitation requirements. We believe this may have accounted for the absence of Schedules B in some National Capital Region leases.

DIFFICULTY IN ENFORCING GSA CRITERIA FOR LEASED SPACE

Some of GSA's firesafety criteria were not included in leases because these criteria would require major building renovations, such as installing automatic sprinkler systems in buildings with six floors or more. However, the Federal Property Management Regulations require that the building standards for Government-owned buildings also apply to buildings with leased space.

Therefore, even though lessors were exempt from furnishing some of the firesafety features required by GSA's criteria, firesafety inspectors still categorized conditions which did not meet the criteria as deficiencies when they were noted during inspections. Because the firesafety deficiencies were reported, GSA should have resolved whether or not they should have been corrected. As authorized by GSA, accident and fire prevention branches may propose alternative firesafety features, or other regional officials may waive firesafety requirements, correct the deficiencies using Government funds, or relocate the tenants. From the leases reviewed, we determined that generally these alternatives had not been used. GSA's comments on a draft of this report indicated that the inconsistencies between its stated firesafety criteria for leased buildings and its lease requirements should be resolved by the newly formulated firesafety criteria for leased space.

PBS P 5900.2, Accident and Fire Prevention - General, authorizes variations from GSA's firesafety criteria. Variations must equal or exceed the level of protection required by GSA's firesafety criteria, and they must be documented, placed in the building's file, and forwarded to the GSA safety and health official for information purposes. The director of GSA's accident and fire prevention division and the chiefs of GSA regions' accident and fire prevention branches may authorize variations.

PBS P 5900.2 also authorizes waivers from GSA's firesafety criteria. Waivers must (1) state specifically the criteria being waived and why, (2) include an evaluation by the regional accident and fire prevention branch of any increased risk assumed by accepting the waivers, and (3) indicate that the waivers are authorized and in the best interest of GSA. The GSA safety and health official grants final approval of waivers.

GSA also authorizes the regions to use Government funds to correct firesafety deficiencies. This authorization was discussed in an April 12, 1979, memorandum from GSA's Office of Buildings Management to the regions' Commissioners of the Public Buildings Service. This memorandum states that

> --any serious firesafety deficiency resulting from comparing the building surveyed with local building and fire codes may be corrected by supplemental lease agreements using Government funds within the limitations of the Economy Act.

The Economy Act authorizes expenditures for repairs and alterations not to exceed 25 percent of the first year's rent.

Lessors refused to provide firesafety features if they were not required by local codes. However, firesafety inspectors still categorized the absence of these features as firesafety deficiencies. For example, the region 7 lease for the Carondelet

building in New Orleans exempted the lessor from two of the Schedule B requirements. A rider to the lease stated the following:

--The lessor will provide panic hardware only where required by the city of New Orleans building code. In this building, it has not been necessary to install panic hardware.

--The lessor will furnish a bell alarm in occupied areas triggered by a fusible link but not transmitted to any firehouse or central station.

Both of these firesafety features were reported as firesafety deficiencies in April 1980 because GSA's criteria state that these features are required. The lessor did not reply to our requests for comments on this firesafety survey report.

Another example of inspectors identifying firesafety deficiencies which were exempt from lease requirements is the leasing of the Willste building by the National Capital Region in an "as constructed" condition from 1972 through January 1982. The lease did not contain a Schedule B, and the lessor's offer, made part of the lease, contained the following statement:

"This offer is predicated on the fact that the building was constructed in 1962 in accordance with Government specifications and plans. Accordingly, the subject property is offered for lease to the Government on the basis of an as constructed building in so far as same does not comply with present solicitation requirements. Modification of the structure to comply fully with the solicitation is not included herein."

However, the firesafety inspector reported 16 firesafety deficiencies in November 1978. For example, the inspector noted:

--An Underwriters Laboratories' listed 1-1/2 hour-rated, fire damper is required in the ventilation opening in the wall enclosing the electrical equipment room in the basement.

--Because of the height of the building and current fire protection trends, it is strongly recommended that the building be completely protected by an automatic sprinkler system.

At the time of our review, GSA's records did not indicate if GSA or the lessor had taken action to resolve these reported firesafety deficiencies. Also, the lessor did not reply to our requests for comments on this firesafety survey report.

The regional firesafety inspectors often cite that when

Government-leased space is on the sixth floor or above it requires automatic sprinkler systems. This has been required in PBS P 5920.9 since August 24, 1977. However, this firesafety criteria had not been included in leases because GSA had not modified Schedule B of the standard Solicitation for Offers to include this requirement. For example, the National Capital Region firesafety survey report for the Universal building cited the following:

--Changing GSA firesafety criteria has resulted in the requirement for complete automatic sprinkler protection for the building. If financially prudent and feasible, application of the new criteria, as it pertains to sprinklers, should be considered at the time of lease renegotiation.

CONCLUSIONS

Buildings with leased space in the three regions we reviewed contained numerous firesafety deficiencies, according to GSA criteria, and some deficiencies had existed for many years. Federal employees, therefore, were working in leased space that did not meet the minimum firesafety protection required by the GSA criteria, and the Government was not receiving all the firesafety features that it should have obtained. This situation indicates that lease administration by the regional acquisition branches needs improving. In addition, better coordination is needed between the acquisition and the accident and fire prevention branches on abating firesafety deficiencies which violate GSA's criteria but which are not required by leases.

RECOMMENDATIONS

To improve GSA's regional lease administration for abating firesafety deficiencies in buildings with leased space and obtaining all the firesafety features generally required in leased space, we recommend that the Administrator of General Services require the Commissioner of the Public Buildings Service to:

--Initiate action to have the lessors promptly correct all firesafety deficiencies in leased space for which they are responsible.

--Enforce the GSA requirement to include Schedules B in leases. Further, any modification of firesafety requirements in Schedule B should be justified by the contracting officer and should be approved by the Regional Commissioner, Public Buildings Service, before being incorporated into the lease.

--Establish procedures to control the prompt correction of firesafety deficiencies. These procedures should include (1) defining the responsibilities and duties for the

personnel of the acquisition and accident and fire prevention branches and (2) monitoring the requests for and receipt of firesafety survey reports and actions taken by the acquisition branches, corrective actions taken by the lessors, and evaluations of corrective actions taken by the accident and fire prevention branches. In addition, these procedures should be explained to the personnel of the two branches in formal training sessions. These procedures should also include the legal actions necessary to require lessors to take corrective actions.

--Require that the current GSA policy for deviating from firesafety requirements be followed.

AGENCY COMMENTS AND OUR EVALUATION

The Administrator of General Services commented on a draft of this report on December 17, 1980. (See app. I for a copy of his letter.) The Administrator provided us a copy of GSA's new firesafety criteria for leased space, which he said was formulated based on our preliminary discussion on this report. He stated further that the criteria apply exclusively to leased space and have been incorporated into GSA's revised Solicitation for Offers.

In a draft of this report, we had suggested that GSA should identify the differences between its firesafety criteria and lease firesafety requirements and should determine which criteria apply to leased space. GSA's guidance to its regional offices states that the new firesafety criteria will be incorporated into all current and future Solicitation for Offers. The above actions should correct the condition we found of firesafety inspectors reporting deficiencies whether or not they violated lease requirements. In view of the new criteria and its incorporation into Solicitations for Offers, we are not making a recommendation at this time.

The Administrator suggested that since the revised Solicitation for Offers addresses several of the recommendations in the draft report, we may wish to revise our report to reflect current standards and practices.

No specific comments were made on any of the above recommendations. We are especially concerned about existing firesafety deficiencies that GSA or the lessor are responsible for correcting. We continue to believe their correction requires the immediate attention of GSA and should not be left until some time in the future when a lease is to be renewed. Therefore, we are still recommending that deficiencies be corrected promptly. As noted above, the newly formulated firesafety criteria and guidance to regional personnel will go far in correcting problems noted. However, they will not assure that matters discussed in this chapter, including the above recommendations, are being adequately dealt with until they are implemented.

The Administrator suggested our report needed to be clarified to show that (1) a lessor is responsible for fulfilling the lease requirements, (2) new criteria does not affect a lessor until the lease is considered for renewal, and (3) in no case do changed GSA firesafety criteria for federally owned space affect leased space. He specifically referred to the section which discusses the automatic sprinkler protection requirement for leased space on the sixth floor or above and stated this was erroneous since it is a requirement for federally owned buildings. He also asked that whenever we mention the 566 deficiencies in the 42 buildings that we qualify them to the effect that they were identified using then current GSA criteria, not necessarily part of the lease requirements.

Nowhere in our report do we suggest that a lessor is required to do anything beyond what is called for in the lease. Further, our draft report included the same statements found in this report. Therefore, we do not believe any further clarification is required.

We do not agree with the Administrator's statement that our report is in error where we refer to automatic sprinkler protection being required in leased buildings six stories or higher. GSA's firesafety criteria, in effect at the time of our review, stated that the handbook provides building firesafety criteria for the design, construction, repair, alterations, lease, and acquisition of buildings. Further, the handbook states "the intent of this criteria is to be applicable to leased space; however, where not practical, equivalent protection is required in leased space." (Underscoring supplied). As shown in this report, GSA firesafety inspectors were applying GSA's criteria, and we are simply reporting the results of their inspections.

GSA's newly revised firesafety criteria for leased space require that automatic sprinkler protection shall be provided in certain circumstances, including throughout all buildings where Government occupied space is on the 12th floor or above. Automatic sprinkler protection may also be required in buildings where Government occupied space is on the 11th floor or below, depending on evacuation calculations.

In 13 of the 42 buildings included in our review, GSA leased space on the 12th floor or above. According to the new criteria, when new Solicitations for Offers for these leases are prepared either automatic sprinklers or equivalent protection should be required. This requirement would also be included in new leases.

Although we feel the data on lessors' responsibilities presented in our draft report was qualified where necessary, we have added in a few instances qualifying statements that the deficiencies were identified using GSA criteria.

CHAPTER 3

PROCESS FOR EVALUATING FIRESAFETY IN LEASED SPACE NEEDS IMPROVEMENT

GSA was not aware that firesafety deficiencies existed in many buildings where it leased space. As a result, GSA regions leased space in buildings that did not meet all the firesafety protection required by GSA's firesafety criteria, leases, and/or local building and fire codes.

GSA requires that all areas where it has space assignment responsibility, including leased space, be carefully measured against its current standards for fire prevention and protection. These firesafety standards were not met because either (1) the firesafety surveys were not always as comprehensive as required which prevented all firesafety deficiencies from being detected, reported, or followed up for corrective actions by lessors or (2) the buildings with leased space in region 7 were not surveyed by the accident and fire prevention branch to determine their condition for firesafety.

QUALITY OF FIRESAFETY SURVEYS SHOULD BE UPGRADED

The firesafety surveys made by the regional accident and fire prevention branch inspectors in the three regions we reviewed were not always as comprehensive as they should have been because the inspectors had not (1) considered all the required firesafety criteria, (2) reported formally all firesafety deficiencies, (3) determined if previous firesafety deficiencies had been corrected, and (4) coordinated surveys with tenant agency officials. As a result, personnel who awarded and administered leases and tenant agencies who occupied leased space were not aware that buildings contained firesafety deficiencies.

GSA recognizes that the surveys are the most effective way to evaluate the firesafety of buildings. Also, surveys are most effective when they are made by individuals who have the required background and expertise in fire prevention and protection and who are familiar with GSA firesafety criteria.

In an April 12, 1979, memorandum, the Assistant Commissioner, Office of Buildings Management, advised the regions that inspectors are required to

--review firesafety requirements contained in the leases to assure the requirements are being met;

--review the local code for new buildings and compare the requirements with the features existing in the building surveyed; and

--evaluate the local building code requirements for new construction against GSA's building firesafety criteria, identify the areas within the region where the two requirements are not equal, and make recommendations to comply with GSA's criteria.

The accident and fire prevention branches have not adequately implemented GSA's policies and procedures on making firesafety surveys of leased space. On the basis of the following discussions, we believe that the accident and fire prevention branches did not fully understand the GSA requirements.

Firesafety requirements not considered and/or not uniformly applied

GSA regional inspectors had not surveyed almost all leased space for compliance with local building and fire codes. In addition, they applied either GSA firesafety criteria or the lease requirements when they surveyed leased buildings, depending upon the regional practice. As a result, firesafety deficiencies were not adequately identified and reported, and leased space was not uniformly evaluated to determine if the lessor was responsible for correcting firesafety deficiencies.

GSA regional leasing personnel and firesafety inspectors could not explain why they had not complied with this requirement. We believe, however, a reason may be that the regions did not know how to adequately apply the different firesafety requirements and how they must be applied to establish liability for corrective actions by lessors. For example, a National Capital Region inspector made a firesafety survey of the Nassif building in March 1980 and reported 11 firesafety deficiencies, according to GSA's standards. We found that 10 of the firesafety deficiencies also violated the local code and the Building Officials and Code Administrators building code, but the report did not show they were local code violations. Violations of local codes are the lessors' responsibility to correct. The lessor did not reply to our requests for comments on this firesafety survey report.

In addition to not inspecting buildings for local code violations, the three regions were not consistent in applying GSA firesafety requirements. For example, the National Capital Region and region 6 applied PBS P 5920.9 Building Firesafety Criteria when inspecting leased space. Region 7, however, applied the requirements of the standard Solicitation for Offers when inspecting leased space.

The reporting of the deficiencies, according to the criteria used, was also not adequate. Inspectors prepared reports that generally did not cite clearly the specific firesafety requirements that were being violated. For example, a National Capital Region inspector gave the following description of a firesafety violation in the Pomponio Plaza.

--Floors 8 through 12 were noted to have egress patterns and corridor arrangements that do not meet GSA firesafety criteria, local codes, and the current lease solicitation.

The lessor did not reply to our requests for comments on the firesafety survey report that cited this firesafety deficiency.

We believe that citing the explicit local codes, lease requirements, and/or GSA firesafety criteria that were applied to identify a firesafety deficiency is necessary to establish the required specific corrective action and the responsibilities for taking such action.

GSA's new firesafety criteria state that no fire protection criteria for leased space is based on local codes. Further, they state that any building leased by the Government shall have an occupancy permit from local authorities. In addition, they state that whenever the local authorities detect a code violation, it shall be promptly corrected at the lessor's expense.

We see no apparent problem with GSA not basing its fire protection criteria on local codes. However, GSA firesafety inspectors must maintain contact with local fire authorities to determine that these authorities are inspecting GSA leased space and that violations are reported and corrected. As noted above, a deficiency may violate both GSA criteria and a local code. If so, the lessor would probably take corrective action sooner if the local fire department was seeking it, than if GSA inspectors were.

Firesafety deficiencies not reported

A GSA principle regarding accident and fire prevention is that identifying, controlling, and removing fire hazards is essential to preventing fires. Regional firesafety inspectors, however, loosely applied the firesafety criteria, in some instances, when they surveyed leased space, which resulted in some firesafety deficiencies not being identified and reported.

For example, during a March 1980 survey of the Todd building, the National Capital Region firesafety inspector commented to us that the exit signs on the fifth floor adjoining the parking garage were not adequate. However, he did not cite the inadequate exit signs as a deficiency in the survey report. Several days after this firesafety survey was made, a building tenant complained to GSA about the exit signs. As a result, GSA made another survey and its report stated the following.

--Several deficiencies were noted such as labeling of doors which were not exits, improper directional signals, signs not illuminated, and lack of exit signs. These conditions are in violation of the District of Columbia Building Code, Volume-1972, Section 613.5 "Exit Signs," and GSA Firesafety Criteria PBS P 5920.9.

Inspectors in the other two regions we reviewed also did not always report all identified deficiencies. Some examples follow.

--A region 7 inspector did not cite several deficiencies, such as the entrance door did not have panic hardware in the Texas and Pacific building. The lessor informed us on October 23, 1980, that all the firesafety deficiencies reported by GSA had been corrected.

--A region 7 inspector made prelease surveys in August 1979 of 13 buildings in New Orleans. According to the surveys, one of these buildings, the Plaza Tower, inspected during our review, had some firesafety deficiencies which could have existed 8 months previously but had not been reported at that time. For example, the exterior exits did not have panic hardware. The lessor did not reply to our requests for comments on the firesafety deficiencies cited in this firesafety survey report.

--During an inspection of the Chromalloy Plaza building, the region 6 inspector told us that the stairwell steps did not require safety treads because the steps were rough enough. The lease requires that stairs have safety treads either built in or of the abrasive cement-on type. The lessor informed us on October 22, 1980, that safety treads were not required.

--The region 6 inspector did not cite the lack of required safety treads on steps as a deficiency for Gateway II and the Traders National Bank buildings. The lessor of Gateway II did not reply to our requests for comments on this firesafety deficiency. The lessor of the Traders National Bank building replied on November 3, 1980, to our requests for comments, but did not mention the lack of safety treads.

Status of uncorrected firesafety deficiencies not considered

The regional firesafety inspectors had not reviewed leases to determine what the firesafety requirements were or previous firesafety surveys to determine the status of any uncorrected firesafety deficiencies. As a result, firesafety reports might not have always stated the status of corrections accurately of previously reported firesafety deficiencies.

GSA requires that inspectors review leases for the firesafety requirements to assure that they are being met and to review previous firesafety survey reports to determine the status of any uncorrected firesafety deficiencies previously reported. However, the regional accident and fire prevention branches were not adequately implementing GSA requirements for making firesafety surveys of leased space.

The failure to determine whether previous firesafety deficiencies have been corrected could lead to false assumptions that the deficiencies may have been corrected. The need for inspectors to determine the status of correction is important because the regions do not have an adequate system to monitor any actions taken.

For example, a National Capital Region inspector inspected the Todd building in 1980 and, although the inspector stated that only one previous deficiency had not been corrected, three deficiencies reported in 1970 and two in 1976 remained uncorrected. These deficiencies were:

--The fire alarm system was not monitored by an approved central station supervisory service.

--The standpipe system was only partially completed and additional outlets were not installed on each floor landing of both stairways.

--All unprotected floor slab penetrators, such as those in the telephone and electrical equipment rooms and the stair shaft, were not sealed with a suitable noncombustible material to prevent vertical fire and smoke spread.

--The building was not provided with a standard emergency lighting system. Battery powered emergency lighting units of designated lighting circuits backed up by an emergency generator are required throughout the path of exit travel, including stairways and interior corridors.

--The elevators did not comply with the Safety Code for Elevators, Dumbwaiters, Escalators and Moving Walks, as required. Specific deficiencies include no telephone in elevator cabs, no fireman's service, no automatic recall feature upon activation of the fire alarm system, and no elevator lobby smoke detectors.

The inspector said that generally inspectors do not examine previous survey reports because any knowledge of prior firesafety deficiencies would prejudice their objectivity.

The lessor informed us on October 31, 1980, that the correction of firesafety deficiencies would be the subject of negotiations if GSA wishes to extend its lease which expired in July 1980.

Tenant agencies may not be aware of firesafety deficiencies

Tenant agency representatives were generally not included in the firesafety survey process by the National Capital Region and region 7. Therefore, tenant agencies may not be aware of

the conditions of their leased working space regarding firesafety. As a result, any firesafety deficiencies identified would not be receiving the attention of tenants either to take corrective action or to help GSA obtain corrective action.

GSA requires that accident and fire prevention branches notify buildings managers before making surveys to ensure minimum interruption to operations and to invite tenant agencies and employee representatives to participate. When surveys are completed, the inspectors should informally advise the buildings managers of any apparent unsafe or unhealthful working conditions and firesafety violations. Buildings managers may advise tenant agencies and employee representatives of any violations.

The regional accident and fire prevention branches generally were not following these procedures. Regional representatives felt that these practices were too cumbersome. They also believed that the space management division was responsible for notifying the interested parties of firesafety deficiencies and obtaining corrective action.

For example, representatives of the National Capital Region's accident and fire prevention branch said that they generally did not invite tenant agency representatives to participate in surveys because they believed that the more people involved, the less likely an effective and efficient inspection would be made.

Region 6 generally contacted tenant agencies during firesafety surveys and informally discussed any firesafety deficiencies. However, regions 6 and 7 believe that the acquisition branches are responsible for correcting firesafety deficiencies.

LEASED SPACE NOT EVALUATED BY REGION 7

Region 7 was not adequately identifying and scheduling leased space for firesafety surveys. Therefore, buildings contained firesafety deficiencies because they were not identified and corrected before Federal employees occupied the space.

Beginning in January 1979, PBS P 5900.2, Accident and Fire Prevention - General, requires the regional accident and fire prevention branches to make firesafety surveys of leased space before leases are awarded or renewed. Before January 1979, GSA only required that space be surveyed if personnel and travel funds were available.

Leased space with firesafety deficiencies not surveyed previously

Seven of the 12 buildings we reviewed in region 7 had never been inspected by the accident and fire prevention branch to see if they met GSA's firesafety criteria. These buildings were first leased between 1968 and 1980, and the number of deficiencies

identified from February to April 1980, when the buildings were inspected at our request, ranged from 12 to 42. (See app. IV for more details, including the lessors' comments.)

The responding lessors advised us of corrective actions taken, or to be taken, on a number of the deficiencies. However, some lessors replied that many of the firesafety deficiencies cited in the GSA firesafety survey reports were not their responsibility to correct because the deficiencies did not violate the lease requirements or local codes. GSA inspectors cited firesafety deficiencies if they violated the current firesafety criteria even though the criteria were not included in the leases. GSA said in its reply to a draft of this report that newly formulated firesafety criteria for leased space would be incorporated into new leases. Therefore, the firesafety inspectors should be applying this new criteria when new leases are awarded.

Below are several examples of firesafety deficiencies found when the accident and fire prevention branch inspected three of these buildings in 1980 at our request.

--The Two Park Central Tower building did not have stairwells which emptied directly to the exterior of the building. In addition, the ground floor did not have an automatic sprinkler system or a 2-hour fire resistive passageway from one of the exits to the outside. The lessor's property manager informed us by letter on October 20, 1980, that this information was incorrect because the east stairwell empties directly outside, as required by the fire code.

--The 546 Carondelet building did not have emergency power for emergency lighting or the fire alarm system. The lessor did not reply to our requests for comments on the firesafety survey report which cited this firesafety deficiency.

--The Praetorian building did not have elevators which were equipped with two-way communication telephone systems, an automatic fireman's capture, or emergency power. The lessor's building manager informed us by letter on October 21, 1980, that all the elevators were equipped with emergency telephones for two-way communications. Further, the elevators did not have an automatic fireman's capture or emergency power because these features were too expensive to accomplish without GSA assistance.

According to the region 7 chief of the accident and fire prevention branch, buildings with leased space might not have been inspected because the inspection staff was insufficient. We did note that the onhand staff consisted of two firesafety inspectors and one administrative employee, compared with an authorized staff of five. We do not know how long this staffing situation has prevailed. Further, we did not attempt to determine the

extent to which, if any, leased space might not have been inspected because of the lack of staff. We did note, however, that the branch was not aware of all the leased buildings needing inspections due to the lack of data needed for accurate scheduling.

Lack of coordination between accident and fire prevention and acquisition branches

The region 7 accident and fire prevention branch did not have all the necessary data about the buildings which required inspection. This situation occurred because coordination between the accident and fire prevention and the acquisition branches was not adequate. As a result, some buildings which should have been inspected were not. For example, we found that 19 of 101 buildings in region 7 were required to be inspected but were not scheduled for inspection because adequate information was lacking.

Starting in January 1979, PBS P 5900.2 Accident and Fire Prevention - General requires that, before accepting leased space, the accident and fire prevention branches shall make firesafety surveys of space greater than 10,000 square feet, or any space located on the sixth floor or above, regardless of size.

We found that the region 7 acquisition branch had awarded 21 leases since January 12, 1979, that met this criteria. However, only four buildings were surveyed for prelease conditions.

According to the chief of the acquisition branch, the branch seldom requests the accident and fire prevention branch to make prelease surveys. Rather, realty specialists in the acquisition branch make prelease surveys, using the requirements specified in the Solicitation for Offers and Schedules B. The branch requests firesafety inspectors to make surveys only when realty specialists recognize serious firesafety problems. Since the accident and fire prevention branch generally is not aware that space is being considered for lease, the branch is unable to make the prelease surveys as required by the GSA order.

In addition, because of this lack of coordination between the two branches, the accident and fire prevention branch does not know on which floor space is leased. This condition could prevent scheduling some leased space located above the fifth floor for inspection. This information is available in the lease files. For example, we found that 14 of the 19 buildings previously mentioned should have been scheduled for inspection because space was occupied on the sixth floor or above. Information about the floor on which space was leased also was not readily available in region 6 and the National Capital Region.

CONCLUSIONS

The GSA regions we reviewed were frequently not providing leased space that complied with GSA firesafety requirements. The regions were not aware the buildings contained firesafety

deficiencies because the process for evaluating firesafety conditions in leased space contained serious flaws in applying firesafety requirements, identifying and scheduling buildings for inspection, performing firesafety surveys, and reporting the results. These functions need to be improved if the acquisition branches are to improve their performance in obtaining corrective actions from lessors.

Firesafety inspectors did not realize that they needed to apply the requirements of local codes, Schedules B of leases, and GSA national firesafety criteria and to cite the specific violation(s) in their reports to establish liability for corrective action. Therefore, the procedure for applying firesafety criteria needs clarifying.

The region 7 scheduling of leased space for inspection is inadequate. Therefore, the acquisition branch needs to improve its coordination with the accident and fire prevention branch by promptly providing information about planned new leases and lease renewals, tenant removals, and the floor on which space is being leased. The National Capital Region and region 6 also need information about what floor space is being leased on to determine if buildings require firesafety surveys.

The methods the accident and fire prevention branches use to make firesafety surveys are not adequate for providing the acquisition branches all the information needed to initiate action against lessors for corrective action. We believe that after the regional firesafety inspectors have a clear understanding of the firesafety criteria, they need to determine the most effective method to make and report on firesafety surveys. Before surveys are performed, the inspectors should review Schedules B, previous firesafety surveys, and local codes and identify responsible tenant agency representatives. At the time surveys are made, inspectors should report and discuss all firesafety deficiencies with tenant representatives. In addition, inspectors and realty specialists should discuss the firesafety deficiencies with the building owner's representative to establish the actions the Government expects. GSA should provide copies of the report to the buildings managers and tenant agency representatives.

Although region 7 claims that insufficient staff is a reason for not inspecting all the leased space as required, we believe that, working within current resources, the branch must first establish a program for better managing its fire prevention program.

RECOMMENDATIONS

To further improve the process for evaluating firesafety in buildings with leased space, we recommend that the Administrator of General Services require the Commissioner of the Public Buildings Service to:

--Clarify and consolidate existing policies and procedures, possibly in a handbook, including how to enforce lease provisions to assure firesafety deficiencies are corrected. In addition, the handbook should cover how to conduct firesafety surveys of leased space and how to prepare the report for firesafety deficiencies. The handbook should require GSA to provide survey reports to interested parties, such as tenant agency representatives.

--Establish a program to instruct firesafety inspectors on their responsibilities and duties as described in the above guidance.

--Ensure that specific information on the amount and location of planned and existing leased space is properly sent from the regional acquisition branches to the accident and fire prevention branches so that required firesafety surveys and inspections can be made.

While our review was directed to GSA's management of its firesafety program for leased space, certain of our findings could apply to GSA's Government-owned space. In this regard, ensuring that firesafety deficiencies are identified properly and corrected promptly should be a high priority for Government-owned space, as well as for leased space. Therefore, we recommend that the Administrator have the Commissioner of the Public Buildings Service determine whether there are similar problems in GSA's firesafety program for Government-owned space, and if so, take appropriate actions.

AGENCY COMMENTS AND OUR EVALUATION

As previously noted, in commenting on a draft of this report, the Administrator of General Services made no specific comments on any of our recommendations. However, he did state that newly formulated firesafety criteria for leased space had been incorporated into GSA's revised Solicitation for Offers and that the revised Solicitation for Offers addresses several of our recommendations.

GSA has taken positive steps to eliminate some of the problems identified in this chapter. For example, the new firesafety criteria for leased space not only include requirements which are incorporated into the Solicitation for Offers, but the criteria state specific actions to be accomplished regarding building firesafety evaluations. (See app. II.) We believe these actions should help improve the quality of the inspection process.

However, no matter how well thought out and set forth, if the guidance is ignored or not specifically adhered to, it will have little affect. In this chapter we point out that surveys were not always as comprehensive as required; buildings were not surveyed as required; all firesafety criteria were not considered or applied as required; and all detected deficiencies were not

reported as required. We also believe that tenant agencies should be made aware of firesafety deficiencies. Therefore, we continue to recommend the need for further improvements to ensure implementation of GSA firesafety guidance.

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DEC 80

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the United States
General Accounting Office
Washington, DC 20548

Dear Mr. Staats:

We have reviewed your draft report, "GSA Not Assuring Adequate Fire Protection for Leased Facilities," and wish to inform you of our new criteria on firesafety in leased space. This criteria, effective by memorandum, dated October 10, 1980, applies exclusively to leased space and has been incorporated into our revised Solicitation for Offers (SFO).

One problem discussed in the report needs clarification. The lessor is responsible for fulfilling the requirements in lease contracts. If the General Services Administration (GSA) sets new firesafety criteria for leased space, they do not affect a lessor until the contract is considered for renewal. In no case do changed GSA firesafety criteria for federally owned space affect leased space. In the report there are a number of referrals to automatic sprinkler protection being required for buildings six stories or higher. This is erroneous, since this is a requirement for federally owned buildings. This was obviously unclear to some of the regions which referenced it for citing deficiencies. Based on General Accounting Office's preliminary discussions on this report, we formulated our new firesafety criteria for leased space.

Accordingly, we would request in the Digest section of the report, and wherever the reference occurs, that the 566 deficiencies existing in 42 leased buildings be qualified to the effect that they were determined using then current GSA criteria, not necessarily part of the lease contract requirements. Furthermore, the title of the report, "GSA Not Assuring Adequate Fire Protection for Leased Facilities" should be moderated in some way, perhaps to suggest that experience shows GSA may have set unreasonably high criteria for firesafety in commercial office buildings. Even putting aside GSA's efforts concerning fire protection for leased facilities, local jurisdictions could argue that their code, inspection and permit requirements, etc., assure adequate fire protection for occupants of leased facilities. To leave these elements of the report unchanged would, in our view, give it an overstated, slanted tone.

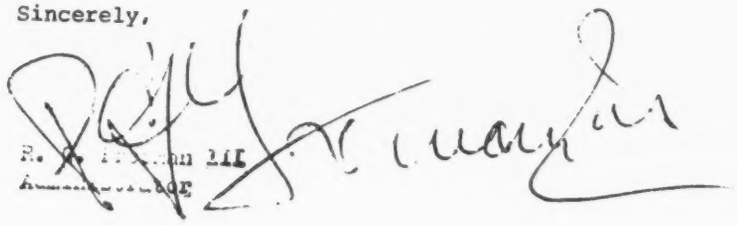
In addition, since the revised SFO addresses several of the recommendations in the draft report, GAO may wish to revise its final report to reflect current standards and practices related to firesafety requirements for leased space.

APPENDIX I

Enclosed are the revised leased space firesafety criteria which have been incorporated into the revised SFO.

Hopefully, this information will be useful in developing your final report.

Sincerely,



Enclosure

EXCERPTS FROM NEWLY FORMULATED

GSA FIRESAFETY CRITERIA FOR LEASED SPACE

Local codes. Previous attempts have been made to lease buildings which conformed to local codes for new construction. This severely restricted our ability to lease space. Conversely, a building meeting local codes of years ago and being protected by "grandfather clauses" thereafter, probably lacks some essential fire protection measures. In addition, trying to locate a copy of an old local code to assure that a building still conforms is difficult but essential for contract compliance. Because of these reasons, and because our leasing standards should be uniform, no fire protection criteria for leased space is based on local codes.

Specific firesafety requirements. Specific firesafety requirements are contained in the Solicitation for Offers (SFO). They should conform to the listing of all firesafety requirements, unless a change has been incorporated in the SFO and that change is still in the process of being made in this handbook.

> Code violations. Any building leased by the Government shall have and maintain an occupancy permit from local authorities. Whenever the local authorities detect a code violation, it shall be promptly corrected at the lessor's expense. Equipment, services or utilities furnished and activities of other occupants shall be free of safety, health, and fire hazards. When hazards are detected, they must be promptly corrected at the lessor's expense. Where requirements conflict, the decision of the contracting officer shall be final.

Building firesafety evaluations. In order to assure that buildings are safe to occupy from a firesafety standpoint, specific actions shall be accomplished. These include:

a. Firesafety surveys shall be accomplished by the regional Accident and Fire Prevention Branch at frequencies indicated in PBS P 5900.2, Accident and Fire Prevention - General. Pre-lease firesafety surveys of space located on the fifth floor or below and not exceeding 10,000 sq. ft. shall be conducted by either the regional Accident and Fire Prevention Branch or representatives of the regional Space Management Division, provided such representatives have been trained to *recognize* firesafety requirements.

b. Regional Accident and Fire Prevention Branch personnel shall conduct an annual training session for all regional leasing officers to assure that all firesafety requirements in the SFO and in this chapter are understood.

c. Based on the firesafety survey, the regional Accident and Fire Prevention Branch shall make a technical assessment on

the adequacy of every building. This shall be included in a report to the leasing officer indicating:

(1) Needed changes to meet minimum firesafety requirements.

(2) Detailing all variances in accordance with PBS P 5900.2.

(3) Indicating which statements to delete and or modify in the SFO in preparing the lease contract.

d. The leasing officer shall assess the reported firesafety deficiencies in determining which buildings meet SFO standards. Abatement plans for correcting firesafety deficiencies (if any) shall be incorporated into the lease contract. The regional Accident and Fire Prevention Branch shall concur in the adequacy of the abatement plans prior to inclusion into the lease contract.

e. The regional Accident and Fire Prevention Branch shall assure through the leasing officer that the lessor complies with firesafety deficiency abatement requirements of the lease contract.

f. For lease renewals, whereby buildings can be leased for additional years without utilizing a new SFO, the firesafety survey shall compare the building against firesafety requirements in the SFO which is in effect at the time of the survey. Abatement plans for deficiencies shall be established for such buildings.

FIRESAFETY DEFICIENCIES GROUPED BY FUNCTION

National Capital Region, Firesafety Deficiencies

Building	Number of deficiencies by function: Lighting, stairwells, doors	Sprinklers	Elevators	Architecture and structure	Alarms	Corridors	Other (note b)	Total deficiencies
Star, Wash. D.C.	-	-	-	1	-	2	-	3
Todd, Wash. D.C. (notes a and c)	2	2	1	1	1	-	3	10
Safeway, Wash. D.C.	2	1	1	-	1	-	3	8
Universal North, Wash. D.C. (note c)	2	-	1	-	1	1	1	6
Universal, Wash. D.C.	9	3	-	-	1	-	4	17
Transpoint, Wash. D.C. (note c)	-	1	-	-	-	-	-	1
1776 Pennsylvania Ave., Wash. D.C. (note c)	1	-	-	-	-	-	-	1
Vanguard, Wash. D.C.								-
Nassif, Falls Church, Va. (note a)	-	1	1	2	2	2	2	10
Pomponio Plaza Arlington, Va.	11	1	1	3		2	4	22
Crystal Plaza No. 2, Arlington, Va.	-	-	-	-	-	-	-	-

APPENDIX III

Building	Number of deficiencies by function							
	Lighting, stairwells, doors	Sprinklers	Elevators	Architecture and structure	Alarms	Corridors	Other (note b)	Total deficiencies
Robin, Silver Spring, Md.	2	2	4	2	1	1	2	14
Willste, Silver Spring, Md.	5	3	1	1	-	-	5	15
Center Bldg. No. 1, Hyattsville, Md. (notes a and c)	2	2	2	1	-	-	6	13
Landow, Bethesda, Md.	-	-	1	-	-	-	-	1
	36	16	13	11	7	8	30	121

a/These firesafety deficiencies were identified during recent GSA inspections, but GSA had not discussed them with the lessors at the time of our review. For the remaining buildings, GSA records did not indicate whether these firesafety deficiencies were corrected. The firesafety survey reports, however, did not specify whether lessors were legally required to correct all these firesafety deficiencies.

b/Other firesafety deficiencies include features, such as smoke detectors and fire extinguishers.

c/Lessors of these buildings replied to our requests for comments on the firesafety deficiencies and said they had corrected many, they would consider correcting others, and they believed some were not deficiencies, according to local codes, or were the Government's responsibility.

APPENDIX III

Region 6 Firesafety Deficiencies

Building	Number of deficiencies by function: Lighting, stairwells, doors	Sprinklers	Elevators	Architecture and structure	Alarms	Corridors	Other (note b)	Total deficiencies
Gateway, Kansas City, Kans.	8	1	4	2	-	-	4	19
2100 W. 36th, Kansas City, Kans.	4	-	-	-	-	-	3	7
Walnut, Pittsburgh, Kans. (note c)	2	-	-	-	1	-	2	5
King's Cove Office Park, Merriam, Kans. (note a)	1	-	-	-	-	-	1	2
Brymar Office Center, Prairie Village, Kans. (note a)	-	-	1	-	-	-	1	2
Traders National Bank, Kansas City, Mo. (notes a and c)	2	1	2	1	1	-	3	10
Twelve Grand, Kansas City, Mo. (note c)	1	-	3	4	-	-	9	17
Professional, Kansas City, Mo. (notes a and c)	4	1	2	3	1	-	1	12
City Center Square, Kansas City, Mo.	2	1	-	1	1	-	2	7

APPENDIX III

Building	Number of deficiencies by function: Lighting, stairwells, doors	Sprinklers	Elevators	Architecture and structure	Alarms	Corridors	Other (note b)	Total deficiencies
Eleven Oak, Kansas City, Mo. (note c)	1	1	1	2	1	-	5	11
Chromalloy Plaza, Clayton, Mo. (notes a and c)	-	-	-	-	-	-	2	2
U.S.G.S., Rolla, Mo. (note c)	3	1	-	-	-	-	2	6
Blue Cross, St. Louis, Mo. (notes a and c)	1	1	-	-	3	-	3	8
Univac, Omaha, Nebr. (note c)	2	-	-	-	-	-	3	5
12565 W. Center Road, Omaha, Nebr. (note c)	1	-	-	-	-	-	-	1
	32	7	13	13	8	-	41	114

a/These firesafety deficiencies were identified during recent GSA inspections, but GSA had not discussed them with the lessors at the time of our review. For the remaining buildings, GSA records did not indicate whether these firesafety deficiencies were corrected. The firesafety survey reports did not specify whether lessors were legally required to correct all these firesafety deficiencies.

b/Other firesafety deficiencies include features, such as fire extinguishers and stairway safety threads.

c/Lessors of these buildings replied to our requests for comments on the firesafety deficiencies and said they had corrected many, they would consider correcting others, and they believed some were not deficiencies, according to local codes, or were the Government's responsibility.

APPENDIX III

Region 7 Firesafety Deficiencies (note a)

Building	Number of deficiencies by function: Lighting, stairwells, doors	Sprinklers	Elevators	Architecture and structure	Alarms	Corridors	Other (note b)	Total deficiencies
Ervay, Dallas, Tex. (note c)	12	3	2	8	-	1	25	51
Praetorian, Dallas, Tex. (note c)	3	1	1	2	-	1	4	12
First Intl., Dallas, Tex.	11	1	1	5	-	1	5	24
Texas and Pacific, Fort Worth, Tex. (note c)	3	-	-	1	-	-	5	9
Neil P. Anderson, Fort Worth, Tex.	1	-	-	2	-	-	8	11
First National Bank, Albuquerque, N.Mex. (note c)	12	1	1	5	1	2	8	30
Western Bank, Albuquerque, N.Mex. (note c)	9	2	1	3	1	1	24	41
Two Park Central Tower, Albuquerque, N.Mex. (note c)	4	1	1	1	-	-	9	16
Tidewater, New Orleans, La.	7	1	1	9	1	-	5	24

APPENDIX III

Building	Number of deficiencies by function: Lighting, stairwells, doors	Sprinklers	Elevators	Architecture and structure	Alarms	Corridors	Other (note b)	Total deficiencies
International Trade Mart, New Orleans, La. (note c)	10	1	1	10	1	-	19	42
546 Carondelet, New Orleans, La.	6	-	1	7	1	-	10	25
Plaza Tower, New Orleans, La.	14	1	1	8	1	-	21	46
	92	12	11	61	6	6	143	331

a/These firesafety deficiencies were identified during recent GSA inspections, but GSA had not discussed them with the lessors at the time of our review. The firesafety survey reports did not specify whether lessors were legally required to correct all these firesafety deficiencies.

b/Other firesafety deficiencies include such features as door hardware and exit lamps.

c/Lessors of these buildings replied to our requests for comments on the firesafety deficiencies and said they had corrected many, they would consider correcting others, and they believed some were not deficiencies, according to local codes, or were the Government's responsibility.

APPENDIX III

LEASED SPACE WITH FIRESAFETY DEFICIENCIES NOT SURVEYED PREVIOUSLY IN GSA REGION 7

Building and location	Year leased	Number of deficiencies
546 Carondelet New Orleans, La.	1969	25
International Trade Mart New Orleans, La.	1973	a/42
Tidewater New Orleans, La.	1975	24
First National Bank - East Albuquerque, N.Mex.	1968	b/30
Two Park Central Tower Albuquerque, N.Mex.	1976	c/16
Western Bank Albuquerque, N.Mex.	1979	d/41
Praetorian Dallas, Tex.	1980	e/12

a/The building's managing director informed us on November 20, 1980, that in most cases the firesafety deficiencies cited in the GSA firesafety survey report of April 1980 have been or are being corrected. The director said that GSA's firesafety survey report contained errors and that implementing the recommendations would require reconstructing the building. In addition, the building was constructed in accordance with all known standards.

b/On November 5, 1980, the lessor's property manager advised us of the following:

Deficiencies have been or will be corrected	3
Being considered for correction	2
Responsibility of Government	3
Not violations of local code or disagree with GSA	22
Total	30

c/The lessor's property manager informed us on October 20, 1980, that:

Deficiencies have been or will be corrected	3
Government's responsibility	1
Not deficiencies according to local code or disagree with GSA	12
Total	16

d/The lessor's design consultant stated in a November 19, 1980, letter that:

Deficiencies have been or will be corrected	12
Being considered for correction	5
Not firesafety deficiencies or disagree with GSA	24
Total	41

e/The lessor's property manager stated in an October 21, 1980, letter that:

Deficiencies have been or will be corrected	7
Being considered for correction	3
Government's responsibility	2
Total	12

The manager also stated that the lessor was willing to conform to all firesafety regulations, but major expenditures must be recoverable from GSA.

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